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2000P07447US01

PATENT APPLICATION  
09/499,922

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REMARKS

This Application has been carefully reviewed in light of the Advisory Action mailed May 12, 2004. Claims 1-20 are pending in the application. In the Office Action, Claims 1-20 were rejected. Applicants have amended Claim 16 and added Independent Claim 21. Applicants respectfully submit that no new matter has been added by the amendment or added claim. For at least the reasons discussed below, Applicants respectfully request reconsideration and favorable action in this case.

Section 103 Rejections

The Office Action rejects Claims 1-3, 5-12, and 14-20 as being unpatentable over U.S. Patent No. 6,539,237 to Sayers et al. ("*Sayers*") in view of U.S. Patent No. 6,473,411 to Kumaki et al. ("*Kumaki*"), further in view of U.S. Patent No. 6,292,829 to Huang et al. ("*Huang*"). Applicants respectfully traverse these rejections.

Independent Claim 1 recites, "a second wireless network having an operations and maintenance center (OMC) coupled thereto and operable to execute an application to manage the first wireless network using a first management protocol, the OMC further operable to manage the second wireless network using a second management protocol." For the teaching of this limitation, the Office Action offers OMC-R 7 of FIGURE 1 as disclosed in *Sayers*. Office Action, Page 2. In particular, the Office Action asserts that OMC-R 7 manages both the private and public wireless networks disclosed in *Sayers*. However, Applicants submit that OMC-R 7 merely manages a single wireless network (the public wireless network), not both the public and private wireless networks as asserted by the Office Action. *Sayers* discloses that the Network Subsystem (NSS) 6 of the public wireless network includes OMC-R 7. Col. 9, Lines 22-24. NSS 6 provides the functions to switch calls to/from the mobile stations 4 of public wireless network 15 and the fixed public network 8. Col. 9, Lines 11-14. Regarding private wireless network 14, *Sayers* merely discloses that an OMC-R is associated with the private base transceiver stations 27 (P-BTS) of private wireless network 14. Col. 15, Line 60 to Col. 16 Line 6. The Office Action fails to cite any passage that teaches that the OMC-R that manages the P-BTS 27 is the OMC-R 7 that also manages the public wireless network. The teachings of the invention recognize that in some embodiments by having the same OMC manage both first and second networks that roaming between wireless networks with different wireless network protocols is facilitated. In contrast, the references do not

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suggest the desirability of this. Indeed, the references teach away from such a modification because the references teach using the same wireless protocol in both the public and private wireless network in order to provide the ability to roam between networks. ABST. Accordingly, Applicants respectfully request allowance of Independent Claim 1 and its respective dependents.

Independent Claims 10 and 16 recite limitations that are similar, although not identical, to the limitation of Claim 1 discussed above. Therefore, these claims are allowable for reasons analogous to those discussed above in connection with Claim 1. Claims 11-12, 14-15, and 17-20 each depend from one of independent Claims 10 and 16 and are thus also patentable over the cited art.

In addition, Independent Claim 1 recites, "a protocol mediator coupled to the first and second wireless networks, the protocol mediator operable to translate between the first management protocol and the second management protocol." For the teaching of this limitation, the Examiner offers the SNMP to CMIP gateway disclosed in *Huang*. But Applicants submit that the Office Action fails to consider each and every word of Claim 1. "All words in a claim must be considered in judging the patentability of that claim against the prior art." M.P.E.P. § 2143.03 (citing *In re Wilson*, 424 F.2d 1382, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970)). In judging the patentability of Claim 42, the Office Action fails to consider at least the phrase "a protocol mediator coupled to the first and second wireless networks."

*Huang* merely discloses a network device coupled to a single network, not a first and a second wireless network. In particular, the SNMP to CMIP gateway offered by the Office Action is operable to translate between SNMP and CMIP for accessing an object-oriented management information base (MIB). Col. 2, Lines 1-2. The gateway receives an SNMP PDU from an associated network and translates the SNMP PDU to a CMIP PDU for processing. Col. 2, Lines 24-26. A CMIP stack processes the CMIP PDU in order to access the associated object-oriented MIB. Col. 2, Lines 26-27. After processing the CMIP PDU, an CMIP response is generated and then translated to an SNMP PDU for transmission over the network. Col. 2, Lines 27-32. Accordingly, Applicants respectfully request allowance of Independent Claim 1 and its respective dependents.

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The Office Action rejects Claims 4 and 13 as being unpatentable over *Sayers* in view of *Kumaki*, further in view of *Huang*, further in view of Newton's Telecom Dictionary, 13<sup>th</sup> Edition ("*Newton's*"). Applicants respectfully traverse these rejections. As discussed above, independent Claims 1, 16, and 19 are allowable over *Sayers*, *Kumaki* and *Huang*. The Office Action fails to cite any teaching or suggestion in *Newton's* of the missing elements discussed above. Therefore, Claims 4 and 13 are allowable at least because they depend from one of allowable Claims 1 and 10. Thus, Applicants respectfully request that these rejections be withdrawn.

**New Claims**

Claim 21 has been added. Claim 21 includes the limitations of Claims 1 as well as other limitations and is thus allowable for reasons analogous to those discussed above in connection with Claim 1. In addition, the cited references do not teach the PBX limitation. Further, Applicants submit that the cited references do not teach the particular combination of limitations of Claim 21, nor has the Examiner asserted that the references teach the particular combination of limitations of Claim 21. Indeed, the Examiner concedes that no one reference contains all of the limitations of Claim 21, and no assertion has been made suggesting their combination is taught by the references or would be suggested to one of skill in the art.

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**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge the \$770.00 RCE filing fee as well as the two-month extension of time fee in the amount of \$420.00 or any fees or credit any overpayments to Deposit Account No. 19-2179 of Siemens Corporation.

Date: August 3, 2004

Respectfully requested,

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